

CHAPTER 5

PLAN ADOPTION, AMENDMENT, & ADMINISTRATION

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PLAN ADOPTION, AMENDMENT, & ADMINISTRATION

Chapter I describes the process used in preparing Plan Tucson, while this chapter focuses on how the Plan is adopted, amended, and administered pursuant to Arizona Revised Statutes (A.R.S.) Section 9-461.06 and Section 9-461.07.

Adoption, Readoption, & Major Amendments

The adoption or readoption of a general plan or major amendment to an adopted plan is subject to public participation procedures adopted by Mayor and Council as required under A.R.S. Section 9-461.06.C, and shall be approved by an affirmative vote of at least two thirds of the members of the City of Tucson Mayor and Council as specified in A.R.S. Section 9-461.06.H.

Prior to approval by the Mayor and Council, the Planning Commission shall hold at least two public hearings in two

different locations before forwarding a recommendation to the Mayor and Council. Additionally, the Mayor and Council shall hold at least one public hearing to consider the matter. Public and jurisdictional notice of the public hearings shall comply with all applicable State and City regulations.

Following Mayor and Council's approval, the adoption, the readoption, or major amendment of the General Plan must be ratified by Tucson's registered voters at least once every ten years as required under A.R.S. Section 9-461.06.M.¹ This provides the opportunity for the City to assess

¹In June 2010, the Arizona Legislature passed House Bill 2145, which extended the deadline for readopting an existing general plan or adopting a new general plan until July 1, 2015.

progress that has been made toward meeting goals and policies of the existing General Plan and to respond to a changing community.

Major Amendment

Pursuant to A.R.S. Section 9-461.06.H, a major amendment is defined as a “substantial alteration of the municipality’s land use mixture or balance as established in the municipality’s general plan land use element.”

The following criteria will be used to determine the need for a major amendment to Plan Tucson:

- A change to Chapter 3, Plan Tucson Land Use, Transportation and Urban Design, including the Plan Tucson Opportunity Areas Map, represents a major amendment if the proposed change does not maintain one or more of the Plan Tucson goals.
- A change to the Plan Tucson Opportunity Areas Map represents a major amendment if the original intent of one or more building block categories depicted on the map and defined in Chapter 3, Land Use, Transportation, and Urban Design is not maintained.
- A change to the Plan Tucson Opportunity Areas Map and the relevant text of Chapter 3, Land Use, Transportation, and Urban Design, represents a major amendment if a new building block category is added.

Major amendments to Plan Tucson may be initiated by the City or requested by another agency or the private sector and will be considered once each year pursuant to A.R.S. Section 9-461.06. Major amendment applications must be submitted within the same calendar year they are considered, and all the applications received must be considered at a single public hearing. A major amendment shall be approved by an

affirmative vote of at least two thirds of the members of the City Council.

Minor Amendments

All amendments to Plan Tucson that are not a new or readopted general plan or a major amendment are considered minor amendments. Minor amendments may be considered and approved at any time by an affirmative vote of at least two thirds of the members of the City Mayor and Council.

Changes that are considered minor amendments to Plan Tucson shall be processed in accordance with Arizona State and City of Tucson regulations concerning timing, notice, public hearing, and action.

Administration

A.R.S. Section 9-461.07, which directly addresses administration of a general plan, consists of three sections. The first addresses actions for effective application of the Plan; the second, preparation of a consolidated program of proposed public works that are in conformance with the general plan; and the third, determination that the disposition of public real property is in conformance with the Plan.

Application of the Plan

Actions called out in A.R.S. Section 9-461.07 for the effective application of the General Plan include identifying and making recommendations to the Mayor and Council on how to implement the General Plan; providing an annual report on the progress in applying the Plan; continuing to educate the public about and promote interest in the Plan, and consulting with the broad range of governmental and nongovernmental stakeholders about the implementation of the Plan.

Chapter 4 highlights the Plan Tucson Implementation Framework, which consists of a series of steps each of



which will include opportunities for public participation. A key step in the framework is development of an Annual Work Program, consisting of an Action Plan, the Operating Budget, and the Capital Improvement Program. This Work Program is the primary tool for achieving Plan Tucson goals and policies. A complementary step in the framework calls for regular assessment of the City's progress in implementing Plan Tucson. The Implementation Framework also recognizes that there are many detailed plans, regulations, and other initiatives already in place whose application will help realize Plan Tucson goals and policies. Among those most commonly used are:

- **Specific Plans**, which are addressed in A.R.S. Section 9-461.08, provide more detailed planning to allow systematic implementation of the General Plan through the use of detailed policy direction, often at the parcel level, for smaller areas of the City. In addition to recommending appropriate locations for different land use types, specific plans guide

the location of buildings and other improvements with respect to existing rights-of-way; the treatment of floodplains, washes, and other amenities; the placement of public facilities; and other issues appropriate to the area covered by the Specific Plan. Specific Plans are subject to adoption and amendment processes separate from those of the General Plan. Specific Plans may be adopted or amended by a majority of the Mayor and Council after public hearings by the Planning Commission and the Mayor and Council.

- **Unified Development Code (UDC)**, adopted in 2012, contains the zoning regulations for the City of Tucson. A stated purpose in Section 1.3 of the UDC is to implement the General Plan. All provisions of the UDC shall be consistent with, and conform to, the General Plan and other related plans and policies adopted by the Mayor and Council as specified in Section 1.4.1D. Section 3.6 of the UDC contains regulations relating to the administration of the General Plan.

The UDC also contains provisions for the use of the General Plan in reviewing applications for rezonings, variances, and other zoning applications.

- **Design Guidelines Manual**, prepared in 1999, is a non-regulatory document used as one source of guidance for City reviews of rezoning applications. The Manual presents a variety of design options and techniques that illustrate ways to improve the overall quality of development, protect the integrity of existing neighborhoods, complement adjacent land uses, and enhance the overall function and visual quality of the community.

Consolidated Program for Public Works

The consolidated program for proposed public works in conformance with the General Plan, as specified in A.R.S. Section 9-461.07, is covered in UDC, Section 2.2.2.B, as the “Capital Improvement Program” (CIP). As stated previously, all provisions of the UDC must be in conformance with the General Plan.

Disposition of Public Real Property

Disposition of public real property is done in conformance with the General Plan as called for in A.R.S. Section 9-461.07.D.

